

**Meeting Minutes**  
**Lower Passaic River Study Area Interim Remedy Feasibility Study**  
**Meeting #6**  
**December 6, 2018**

**Location:** Conference Call/GoTo Meeting

**Participants:**

EPA:

Diane Salkie

Michael Sivak

CDM Smith:

Andrew Bullard

Aaron Frantz

Scott Kirchner

Keegan Roberts

CPG:

John Connolly

Gary Fisher

Marcia Greenblatt

Susan Harden

Peter Israelsson

Rob Law

Bill Locke

Hank Martin

Bill Potter

Doug Reid-Green

HDR:

Ed Garland

James Wands

NJDEP:

Anthony Cinque

Anne Hayton

Myla Ramirez

USACE:

Beth Franklin

**Agenda:**

- Finalize meeting minutes from 11/13 and 11/29
- Discuss latest version of RAO memo

- Briefly discuss comments on WP

#### **Prior Meeting Minutes:**

The team briefly discussed the meeting minutes from the 11/29 FS Meeting #5. Not all had reviewed these minutes, and the minutes will be left open pending review by CPG and DEP.

Relative to the 11/13 FS Meeting #4, DEP asked for clarification on the difference between delineating vs calculating the area of remedial footprints. CPG clarified that calculating the area is an exercise of hilltopping while delineation implies drawing definitive boundaries, and further clarified that the latter is not necessary to determine the aerial extent of the remediation area.

EPA indicated that both sets of meeting minutes would be finalized as soon as possible.

#### **RAO Memo:**

CPG commented that their interpretation is that the information contained within the footnotes of the RAO memo would not be footnotes within the interim remedy FS, but rather contained within the narrative of the FS. EPA indicated that some of the footnote language may actually still be footnoted within the interim remedy FS. CPG asked when it would be determined which information would remain within footnotes, and EPA responded that this would occur during the FS process, as CPG prepares the text. CPG asked if language could be included in the RAO memo indicating that decisions around which information will be in RAO footnotes vs the FS narrative will be made later. CPG also suggested that footnote 7 be removed, as it is redundant, and the team agreed this would be reasonable.

DEP asked for more time with the RAO memo, as the most recent edits had only been circulated last evening. EPA clarified that the redline version of the RAO memo being shown and discussed contains edits that are responsive to CPG and DEP comments; EPA indicated specifically that footnote 3 will be moved to the discussion portion of the memo in the final version, in accordance with a prior DEP comment. DEP asked for clarification between “active remedy footprint” and “remedial footprint”, and CPG responded there is no difference and the memo can use “remedial footprint” consistently. EPA agreed that “remedial footprint” should be used consistently. DEP indicated they are in agreement with the current footnotes 1 and 2, and with footnote 3 being moved to the discussion portion of the memo.

EPA indicated a revised version of the RAO memo would be circulated to the team for concurrence.

#### **Draft FS Work Plan Addendum Comments:**

CPG indicated that they still are reviewing the EPA’s and DEP’s comments on the draft FS Work Plan Addendum, but that they were prepared to discuss certain specific comments.

EPA Comment #17: CPG was interested in understanding the EPA’s comment regarding the requested edit to Section 2 of the FS Work Plan Addendum, and EPA responded that it is very important to maintain a distinction between the interim remedy RAOs, which will need to be demonstrated through specific measurements, and broader outcomes of the interim remedy. CPG indicated their understanding of this distinction.

EPA Comment #11: CPG was interested in better understanding the rationale for deleting Sections 1.2.1 and 1.2.2 from the draft FS Work Plan Addendum. EPA explained that it largely relates to the OU2

responsiveness summary and potential inconsistencies between it and the language in the Addendum, as well as it being generally unnecessary for the information in Sections 1.2.1 and 1.2.2 to be in the Addendum. CPG asked for additional detail related to the inconsistencies, and EPA indicated they would provide more information related to specific sections of the responsiveness summary that might conflict with the information in Section 1.2.1 of the FS Work Plan Addendum. The team also agreed to discuss this comment further at the next FS meeting.

EPA Comments #27 and #28: CPG indicated the most suitable approach may be to delete the specific date-related information from Section 3.2 of the draft FS Work Plan Addendum. The team agreed this would be a reasonable approach.

DEP Comment #1a: CPG asked for assistance from EPA in responding to this comment about the BERA; DEP indicated their position is that the BERA is not complete and that caution should be exercised regarding ecological risk conclusions. EPA indicated that there still is a planned teleconference in the next few weeks between EPA and DEP to discuss the BERA.

DEP Comment #1b: DEP is concerned that there is not a sufficient feedback loop relative to CSTAG involvement, and that the CSTAG's involvement should be better summarized. CPG indicated they would appreciate help from DEP with specific language DEP would be more comfortable with.

DEP Comment #6: With respect to RM 10.9, CPG indicated that they have not articulated one way or the other whether the RM 10.9 action was a final action. CPG clarified that existing conditions do include the prior action at RM 10.9, and therefore, that is why the No Action alternative would include the work performed at RM 10.9. DEP inquired if RM 10.9 would be included in the other interim remedy FS alternatives (i.e., the potential need to address sediments at RM 10.9 in the source control interim remedy), and CPG said yes, the RM 10.9 would be considered in the derivation of remedial alternatives and footprints. HDR recommended that this issue be framed by using post-removal action data from RM 10.9 to inform interim remedy SWAC calculations. CPG indicated they would think about this comment before the next FS meeting.

DEP Comment #9: DEP indicated that the FS Work Plan Addendum should express caution in the use of the models; CPG replied that they believe the Addendum is already sufficiently qualified relative to the use of the models. CPG agreed to revise and expand this section and requested assistance with language. DEP indicated that it would be prudent to express there will not be additional data to refine the models prior to the interim remedy ROD.

#### **Next FS Meeting:**

The next meeting (FS Meeting #7) is scheduled for December 13, 2018 from 10 am to 1 pm ET in the EPA Edison office (the same conference room as FS Meetings #1 on October 24, 2018. The specific agenda for FS Meeting #7 is still TBD, but the following topics are likely to be covered:

- Discuss/accept prior meeting minutes
- Detailed discussion of comments on the FS Work Plan Addendum
- Discuss HDR calculations regarding residuals impact on SWACs
- Discuss footprint derivation based on RAO 2
- Possible discussion of engineering assumptions

**Action Items:**

EPA to share HDR's residuals/SWAC calculations with the team on Monday, December 10, 2018

EPA to provide a revised version of the RAO memo for CPG and DEP concurrence

CPG and DEP to provide feedback as soon as possible on the meeting minutes from FS Meeting #5 (November 29, 2018)

EPA to provide a revised version of the meeting minutes from FS Meetings #4 (November 13, 2018) for CPG and DEP concurrence

EPA to prepare and circulate meeting minutes for today's meeting (FS Meeting #6)

EPA to provide more information related to specific sections of the OU2 responsiveness summary that might conflict with the information in Section 1.2.1 of the FS Work Plan Addendum

CPG to provide information to the team on interim remedy FS engineering assumptions prior to FS Meeting #7 (December 13, 2018)